

1 R. Bradford Huss, SBN 71303  
 Robert F. Schwartz, SBN 227327  
 2 Clarissa A. Kang, SBN 210660  
 TRUCKER ♦ HUSS  
 3 A Professional Corporation  
 120 Montgomery Street, 23<sup>rd</sup> Floor  
 4 San Francisco, California 94104  
 Telephone: (415) 788-3111  
 5 Facsimile: (415) 421-2017  
 E-mail: ckang@truckerhuss.com  
 6

\*\*E-filed 11/9/05\*\*

7 Attorneys for Plaintiffs  
 SUN MICROSYSTEMS, INC.;  
 8 SUN MICROSYSTEMS, INC. TAX DEFERRED  
 RETIREMENT SAVINGS PLAN  
 9

10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION  
 13

14 SUN MICROSYSTEMS, INC.; SUN  
 15 MICROSYSTEMS, INC. TAX DEFERRED  
 RETIREMENT SAVINGS PLAN,  
 16

Plaintiffs,  
 17

v.  
 18

19 SEAORIA SIGNARS LEMA; MICHAEL-  
 ANTHONY LAWRENCE LEMA; DAVID  
 20 THOMAS LEMA; GABRIELLE LYN  
 LEMA; PAUL PHILIP LEMA; PAULA  
 21 SARAH LEMA; and TOMICA ANN  
 PARHAM-LEMA,  
 22

Defendants.  
 23

Case No.: 5:04 -CV-04968-JF

**[PROPOSED] ORDER PERMANENTLY  
 ENJOINING DEFENDANTS**

24 Having granted Plaintiffs' Motion for Discharge on June 9, 2005 [Docket No. 40] and  
 25 thereby having discharged Plaintiffs from liability in this action, the Court hereby orders that all of  
 26 the defendants be permanently enjoined from instituting or prosecuting, on behalf of themselves or  
 27 others, and from assisting others in instituting or prosecuting, any proceeding in any state or federal  
 28 court, against Sun Microsystems, Inc. and/or the Sun Microsystems, Inc. Tax Deferred Retirement

1 Savings Plan (the "Plan") relating to Michael H. Lema's participation in the Plan. Further, because  
 2 Plaintiffs have now deposited into the Court's registry \$118,953.60,<sup>1</sup> representing the benefits at  
 3 issue in this interpleader action minus the \$11,152.46 for Plaintiffs' attorney's fees<sup>2</sup> that was  
 4 ordered to be deducted from the interpleaded fund, Plaintiffs are hereby dismissed from this action.

5  
 6 DATED: 11/9, 2005

/s/electronic signature authorized

The Honorable Jeremy Fogel  
 U.S. District Court Judge

Trucker + Huss  
 A Professional Corporation  
 120 Montgomery Street, 23<sup>rd</sup> Floor  
 San Francisco, California 94104

1 See Declaration of Clarissa A. Kang Regarding Deposit Of Interpleader Stake Into The Court's Registry, filed on November 7, 2005.

2 By an order dated June 9, 2005 [Docket No. 40], the Court awarded Plaintiffs \$7,937.46 in attorney's fees from the interpleaded fund. Granting in part Plaintiffs' Motion for Further Attorney's Fees, the Court awarded an additional \$3,215.00 in attorney's fees from the interpleaded fund on October 11, 2005 [Docket No. 56].